

(C) **REMARKS**

1. **Amendments to the Claims**

- (a) In ¶ 6 the Office Action, the Examiner indicated that Claim 23 would be allowable if rewritten in independent form including all the limitations of the base claim (Claim 19) and any intervening claims (Claims 20 and 21). Claim 19 is currently amended to add the limitations of original Claims 20, 21, and 23, which is effectively the same as rewriting Claim 23.
- (b) In view of the aforesaid amendment to Claim 19, Claims 20, 21, and 23 have been cancelled, without prejudice.
- (c) Claim 22 is currently amended to depend from Claim 19. Since Claim 19 as currently amended should be allowable, it follows that Claim 22 as currently amended should be allowable as well.
- (d) In ¶ 6 the Office Action, the Examiner indicated that Claim 31 would be allowable if rewritten in independent form including all the limitations of the base claim (Claim 28) and any intervening claims (Claim 29). Claim 28 is currently amended to add the limitations of original Claims 29 and 31, which is effectively the same as rewriting Claim 31.
- (e) In view of the aforesaid amendment to Claim 28, Claims 29 and 31 have been cancelled, without prejudice.
- (f) Claim 30 is currently amended to depend from Claim 28. Since Claim 28 as currently amended should be allowable, it follows that Claim 30 as currently amended should be allowable as well.
- (g) In ¶ 6 the Office Action, the Examiner indicated that original Claim 36 would be allowable if rewritten in independent form including all the limitations of the base claim (Claim 28). New Claim 46 corresponds to original Claim 28 plus the limitations of original Claim 36 added, which is effectively the same as rewriting Claim 36.

- (h) New Claim 47 is dependent from allowed Claim 8, with the added limitation that the choke is located in the production pipeline at a point downstream of the point where the gas injection pipeline connects to the production pipeline. Support for this added limitation may be found in paragraph [0063] of the specification.

2. Claims As Amended Are Allowable

Applicant submits that amended Claims 19 and 28 and new independent Claim 46 are allowable, having been rewritten or drafted in compliance with the Examiner's observations in ¶ 6 of the Office Action. Original Claims 24-27, all of which are dependent from Claim 19, were rejected in the Office Action, but these Claims are now allowable without need of amendment, in view of the current amendments to Claim 19. Similarly, original Claims 32-36, all of which are dependent from Claim 28 and which were rejected in the Office Action, are now allowable without need of amendment, in view of the current amendments to Claim 28. New Claim 47 is also allowable, as it is dependent from allowed independent Claim 8.

In accordance with all the foregoing remarks, Applicant further submits that all claims of record upon entry of the present amendments are allowable.

3. No New Matter

It is submitted that the present amendments introduce no new matter into the application. All subject matter contained in the application, as amended hereby, was expressly described in or is reasonably inferable from the originally-filed specification, claims, abstract, and/or drawings.

4. Excess Claim Fees

The application was filed with a total of 45 claims, including 5 independent claims, and excess claim fees were paid accordingly. Upon entry of the current amendments, a total of 42 claims will be pending in the application, including a total of 6 independent claims. The current claim amendments thus result in an increase of one independent claim, but no increase in the total number of claims. Accordingly, excess claim fees of \$100.00 are payable in respect of the one additional independent claim.

(D) CONCLUDING REMARKS

Applicant respectfully submits that the amendments presented herein have fully addressed all issues raised in the Non-Final Action, and that the application will be in condition for allowance upon entry of the amendments. Accordingly, Applicant requests timely issuance of a Notice of Allowance.

Respectfully submitted on behalf of the
Applicant, by his agent:



Donald V. Tomkins
Registration No. 48,206
Customer No. 31209

c/o TOMKINS LAW OFFICE
Suite 740, 10150 - 100 Street
Edmonton, Alberta, CANADA
T5J 0P6

Telephone: (780) 424-2200
Facsimile: (780) 424-2205

E-mail: dtomkins@tomkinslaw.ca